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March 23, 1988

*ALSO ADMITTED TO KENTUCKY BAR

Ms. Ruth Mancos
CERCLA Enforcement Section SHE-12
U.S. Environmental Protection Agency
237 Dearborne Street
Chicago, IL 60604

Re: Sanitary Landfill Company Site
City of Moraine, Montgomery County, Ohio

Dear Ms. Mancos:

Please be advised that the undersigned is the Law Director for the City of New Lebanon. In response to Mr. Niedergang's letter of February 24, 1988 we again investigated the allegation that the Village of New Lebanon dumped at the above captioned site.

Apparently, our name came to someone's attention as a result of a letter dated October 3, 1977 from Ralph L. Woolpert Company to Mr. Ray Davis, Marketing Manager Industrial Waste Disposal, Dayton, Ohio. I have enclosed a copy of that letter for your reference.

As you can see by the letter, Woolpert, on behalf of New Lebanon, was merely asking Industrial Waste Disposal to provide a commitment so that the facility's plans being prepared for the wastewater treatment facility of New Lebanon could be submitted to the Ohio EPA for approval. In fact, New Lebanon never dumped any solid waste generated by its wastewater treatment facility at the above captioned site.

We have no knowledge or information whatsoever that would indicate New Lebanon should be a party to the present U.S. EPA action involving the above captioned site.

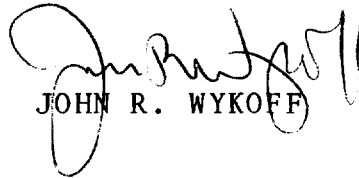
WHITE, GETGEY & MEYER CO., L.P.A.

Ms. Ruth Mancos
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Would you please advise if you have any information
contrary or if there is further information we need to provide
to you.

Thank You.

Very truly yours,



JOHN R. WYKOFF

JRW/tlz
Enclosure
cc: Mayor James Teer

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Mure

RALPH L. WOOLPERT COMPANY
CONSULTING ENGINEERS, PLANNERS AND PHOTOGRAMMETRISTS
2324 STANLEY AVENUE
DAYTON, OHIO 45404
513/461-5660

RALPH L. WOOLPERT, President

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ELVIS G. WEST
FRANKLIN A. WRIGHT, III

*File Solid Waste
Houdgroun
October 3, 1977
IWD South Sanctuary
Cardington Rd.*

Mr. Ray Davis, Marketing Manager
Industrial Waste Disposal
3975 Wagoner Ford Road
Dayton, Ohio 45414

RECEIVED

OCT 5 1977

OHIO ENVIRONMENTAL PROTECTION AGENCY
SOUTH WEST DISTRICT

Re: Solid Waste Disposal
Wastewater Treatment Facilities

Dear Mr. Davis:

In accordance with our telephone discussion of Friday, September 23, 1977, we are requesting that you consider accepting the solid wastes generated by the wastewater treatment facilities for the above referenced communities.

At the present time, facilities plans are being prepared for the wastewater treatment facilities for New Lebanon and Union. Part of the information required in these facilities plans is the method and location of the disposal of the grit, screenings and dried, digested sludge from these treatment facilities.

Each community will be generating approximately two cubic yards of material per day. This material will be stored on site and delivered to the Industrial Waste Disposal facilities probably on a twice weekly basis. The moisture content of this waste is approximately 50 percent.

The Ohio EPA has been contacted and Mr. Joe Moore of the Ohio EPA has indicated that the use of the Cardington Road landfill or the Clark County landfill would be satisfactory for the disposal of this waste.

We need from Industrial Waste Disposal a letter indicating that the solid waste from the New Lebanon Wastewater Treatment Plant will be accepted at the Cardington Road site. We will also need a letter indicating that the solid waste from the Union Wastewater Treatment Plant will be accepted at either the Cardington Road site or the Clark County site.

Mr. S. Davis

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October 3, 1977

These operations would probably become operational in approximately three years.

Should you have any questions or need additional information, please contact us.

Sincerely,

RALPH L. WOOLPERT COMPANY

Michael J. Foley

Michael J. Foley

MJF:seh

cc: Mr. Joe Moore ✓
Southwest Ohio EPA